AO No. 53 of 2003
(FAFO No. 473/1980)
Hon'ble B.C. Kandpal, J.

Heard Sri Ramji Srivastava, learned counsel for the appellants, Sri Prabhat Pande, learned counsel for the Insurance Company and perused the record.

The record reveals that the whereabouts of the claimants are not known. Learned counsel for both the parties have stated before the Court that the whereabouts of the claimants are not known for the last 10 years.

The record of the lower court in this case has also been weeded out. In view of the aforesaid circumstance, the appellant is not intending to press this appeal.

Learned counsel for the Insurance Company has submitted that the liability of the Insurance Company at that time was upto an extent of Rs. 5,000/- and the Insurance Company has already paid that amount.

In view of the aforesaid submission advanced by learned counsel for the appellant, the appeal is dismissed as not pressed with a liberty to file the fresh appeal.

(B.C. Kandpal, J.)

16.10.2006
ASWAL